

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION**

**CIVIL NO. 5:04CV169**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>DEFAULT JUDGMENT OF</b>
	)	<b>FORFEITURE</b>
	)	
<b>\$85,940 IN UNITED STATES</b>	)	
<b>CURRENCY,</b>	)	
	)	
<b>Defendant.</b>	)	

**THIS MATTER** is before the Court on the government's motion under Fed. R. Civ. P. 55(b)(2) for a default judgment of forfeiture against the defendant property.

**THE COURT FINDS THAT:**

1. A verified complaint for forfeiture in rem of the defendant property was filed on October 18, 2004. This Court found probable cause for forfeiture and issued a warrant for arrest in rem.
2. Process was fully issued in this action and returned according to law. Pursuant to the warrant for arrest in rem, the government duly seized the defendant property. Service of process was made by publication of public notice in The Statesville Record and Landmark on December 17, 24, and 31, 2004.
3. No person has filed a verified claim or an answer within the time allowed by law, and default was accordingly entered on June 14, 2005 .
4. Based on the affidavit of Special Agent Joseph B. Barringer of the Department of Homeland Security, Immigration and Customs Enforcement, filed with the complaint, the government has shown probable cause to believe that the defendant property is proceeds of and/or was used or intended to be used to facilitate illegal drug trafficking, and that it is therefore subject to forfeiture under 21 U.S.C. §881(a)(6).

**BASED ON THE FOREGOING FINDINGS, THE COURT CONCLUDES** that the government is entitled to a judgment of forfeiture by default against the defendant property.

**THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:**

1. The government's motion for default judgment of forfeiture is hereby **GRANTED**.
2. Any and all right, title and interest of all persons in the world in or to the defendant property is hereby forfeited to the United States; and no other right, title, or interest shall exist therein.
3. The United States is hereby directed to dispose of the forfeited defendant property as provided by law.

**Signed: October 20, 2005**

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line underneath the name.

Richard L. Voorhees  
United States District Judge

